

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

RAFAEL REFOJOS & ASSOC., et als.,
Plaintiffs,

v.

CIVIL NO. 03-1797 (DRD)

IDEAL AUTOMOTIVE, et als.,
Defendants.

MOTION	RULING
<p>Date Filed: 02/08/06 <input checked="" type="checkbox"/> Pliff <input type="checkbox"/> Deft <input type="checkbox"/> Other</p> <p>Title: MOTION IN LIMINE TO LIMIT DEFENDANT'S DOCUMENTARY AND TESTIMONIAL EVIDENCE</p> <p>(Docket No. 117)</p>	<p>Plaintiff's request that Durakon's testimonial evidence be limited solely to the testimony of Mr. Dennis De Leonard (the only witness disclosed in Durakon's Initial Disclosures pursuant to Fed.R.Civ.P. 26(a)(1)(A)) – or supplement them throughout the proceedings – is GRANTED. However, Durakon may present any such other oral evidence as it may deem proper for the purpose of rebuttal.</p> <p>Plaintiff's request that Durakon's documentary evidence regarding damages – the contract between terminated co-defendant Ideal and plaintiff, and a copy of Ideal's letter canceling said contract with plaintiff (the only documentary evidence disclosed by Durakon) – be stricken provided that Durakon did not make any disclosure of documents supporting their claim of commissions paid to plaintiff, thus, not disclosing the exact amounts that they deem plaintiffs' damages should be is DENIED. These documents to be utilized to ascertain damages are well known to both parties as plaintiff himself produced them during discovery. Moreover, Durakon may present any such other documentary evidence as it may deem proper for the purpose of rebuttal.</p>

Date Filed: 01/27/06 <input type="checkbox"/> Plff <input type="checkbox"/> Other Title: DURAKON'S MOTION IN LIMINE TO LIMIT PLAINTIFFS' DOCUMENTARY EVIDENCE (Docket No. 113)	<input checked="" type="checkbox"/> Deft MOOT. The Court already issued an order regarding this specific matter at the Settlement Conference held on June 17, 2005 (Docket No. 95).
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IT IS SO ORDERED.

Date: March 31, 2006

S/ Daniel R. Dominguez
DANIEL R. DOMINGUEZ
U.S. District Judge